

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-4, 6-12 and 14-18 are pending in this application. Claims 1, 2, 9, 17 and 18 are hereby amended. Support for this amendment is provided throughout the Specification as originally filed and specifically on paragraphs [0047] and [0057] of the published application.

No new matter is added by these amendments. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1-4, 6, 8-12, 14, and 16-18 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Publication No. 2005/0028208 to Ellis, et al. (hereinafter, merely "Ellis") in view of U.S. Patent No. 6,175,860 to Gaucher (hereinafter, merely "Gaucher") and further in view of U.S. Patent No. 6,556,822 to Matsumoto (hereinafter, merely "Matsumoto").

Claims 7 and 15 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Ellis in view of Gaucher and Matsumoto and further in view of U.S. Patent No. 6,501,516 to Clapper (hereinafter, merely "Clapper").

III. RESPONSE TO REJECTIONS

Claim 1 recites, *inter alia*:

wherein a user of one of the plurality of electronic apparatus chooses whether the user is indoor or outside and sends to the program processing apparatus a link request indicating whether the user is indoor or outside, and

wherein the plurality of electronic apparatus control the plurality of programs recording and playing apparatus through the program processing apparatus. (Emphasis added)

Applicants further submit that the Ellis, Gaucher, and Mastsumoto, taken alone or in combination, fail to disclose or render predictable the above discussed feature of claim 1. Specifically, Ellis, Gaucher, and Matsumoto fail to disclose or render predictable "**wherein a user of one of the plurality of electronic apparatus chooses whether the user is indoor or outside and sends to the program processing apparatus a link request indicating whether the user is indoor or outside,**" and "**wherein the plurality of electronic apparatus control the plurality of programs recording and playing apparatus through the program processing apparatus,**" as recited in claim 1.

Therefore, Applicants submit that independent claim 1 is patentable.

Furthermore, Applicants respectfully submit that the Office Action fails to make a *Prima Facie* case of obviousness rejection. Specifically, the Office Action (see page 7) combines Ellis with Gaucher and states that a person of ordinary skill in the art would do "in

order to provide a more cost-efficient device.” As none of the references discusses any improvement in term of a cost efficient purpose, Applicants respectfully submits that “a more cost-efficient device” does not serve as a rationale for a person of ordinary skill in the art to combine Ellis and Gaucher. Therefore, the combination of Ellis and Gaucher is improper.

For reasons similar to, or somewhat similar to, those described above with regard to independent claim 1, independent claims 9, 17 and 18 are also patentable.

As nothing in the prior art cited in the Office Action cures the above-identified deficiencies, Applicants respectfully request reconsideration and withdrawal of the rejections.

IV. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. As nothing in the prior art cited in the Office Action cures the above-identified deficiencies, Applicants respectfully request reconsideration and withdrawal of the rejections. As each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

Because Applicants maintain that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on each and every comment made by the Examiner in the Office Action. This should not be taken as

acquiescence of the substance of those comments, and Applicants reserve the right to address such comments.


In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference it is respectfully requested that the Examiner specifically indicate those portions of the reference providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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